REMARKS

Claims 1-45 are pending and subject to a requirement for an election of species. Claim 1 has been amended to recite that (A) can be a first conjugate that binds directly to a second therapeutic agent, based on the disclosure at page 5 ("the primary targeting species carrying the first therapy agent, for instance, a radiolabeled bispecific antibody, can be raised against a specific second therapy agent, or against a conjugate comprising a therapy agent and a recognition moiety"), at page 8 ("the bispecific antibody-therapy agent conjugate used in the first step, can recognize, via its secondary recognition antibody arm, either the camptothecin moieties or the polymer backbone") and at page 11 ("when the drug itself, or the polymer backbone is not used as the recognition unit, a separate hapten can also be attached to the polymer, preferably a hapten useful for universal recognition when attached to any polymer-drug conjugate"). Claim 1 also has been amended to recite that (A) can be a therapeutic naked antibody, based on the disclosure at page 13, lines 5-10). Based on this latter amendment to claim 1, claims 43 and 45 have been canceled. Dependent claims to preferred embodiments of first and second therapeutic agents have been added, *e.g.*, doxorubicin (page 10, line 23) and tototecan (page 5, line 28). Claim 52 has been added to recite binding of the targeting moiety to the first therapeutic agent by means of a recognition arm (page 8, lines 5-9). Claims 1-52 remain in the case.

The examiner requires applicants to elect a single species for initial examination. Applicants provisionally elect the species in which (A) is a first conjugate that binds to a low molecular weight hapten and that comprises doxorubicin as the first therapeutic agent and (C) is a second conjugate comprising a low molecular weight hapten that carries topotecan as the second therapeutic agent. Claims 1, 2, 6, 8, 20-31, 33, 37, 46-49 and 51 are readable on the elected species. Claims 32, 34, 35, 36, 40 and 42, while reciting cytokines and radionuclides also are readable on the elected invention because they recite that the conjugate and/or agent "comprises" a cytokine or radionuclide and not that the cytokine or radionuclide "is" the therapeutic agent. As described on page 21, last paragraph, more than two therapeutic agents may be used. Accordingly, (A) might have doxorubicin as the first therapeutic and still "comprise" a cytokine or radionuclide.

Accordingly, it is believed that claims 32, 34, 35, 36, 40 and 42 can be properly grouped with the elected claims.

Applicants now await an initial Official Action on the merits. Should there be any question regarding this election or any other matter, the examiner is invited the contact the undersigned at the local exchange listed below.

Respectfully submitted,

Date November 16, 2000

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MARKED-UP VERSION OF AMENDED CLAIMS

1. (Amended) A composition for effecting therapy of a tumor or an infectious disease in a patient, comprising:

(A) a therapeutic naked antibody or a first conjugate comprising a targeting moiety and a first therapeutic agent, wherein the targeting moiety selectively binds to (i) a marker substance produced by or associated with the tumor or infectious disease causing agent and [to] (ii) a low molecular weight hapten or a second therapeutic agent;

(B) optionally, a clearing agent; and

(C) a second therapeutic agent or a second conjugate comprising a low molecular weight hapten to which said first conjugate binds and a second therapeutic agent, wherein the second therapeutic agent is the same as or different from the first therapeutic agent.

Claims 43 and 45 are canceled.